

In re Patent Application of:

**FONDEUR ET AL.**

Serial No. **10/736,295**

Filed: **12/15/2003**

---

#### REMARKS

Prior to the foregoing amendment, claims 1-34 were pending. As a result of the addition of claim 35, claims 1-35 are currently pending. Reconsideration of this application in light of the foregoing amendments and following remarks is respectfully requested.

The requirement for restriction, as set forth on pages 2 and 3 of the outstanding Office Action, is respectfully traversed.

At the outset, applicants respectfully submit that the explanation of the requirement is not understandable. In particular, in the first paragraph alleging that the inventions are distinct from each other, it is stated that inventions I and II are *unrelated*, whereas, in the following paragraph, it is stated that the inventions I and II are *related* as product and process of use. Clarification is respectfully requested.

With regard to inventions I and II, it is respectfully submitted that inventions I and II are not distinct from one another, because the method defined in claim 9 (invention II) requires the use of a mask set as defined in claim 1 (invention I), not "another" mask, as inaccurately alleged in the requirement.

Applicants also do not understand the statement: "Inventions I and II directed to related III." What does this mean?

In re Patent Application of:

**FONDEUR ET AL.**

Serial No. **10/736,295**

Filed: **12/15/2003**

---

Moreover, contrary to what is alleged in the outstanding Office Action, it is respectfully submitted that inventions I, II, and III are not mutually exclusive, since the process defined in claim 9 (i.e., invention II), employs the mask set of claim 1 (invention I) and produces the planar circuit of claim 19 (invention III).

Withdrawal of the restriction requirement is respectfully requested.

Still, in order to be responsive to the particular requirement made in the Office Action, applicants tentatively elect invention I (claims 1-8).

Newly added claim 35 includes the same limitations of original claim 9 and is believed includable in group II.

Favorable reconsideration of the restriction requirement and an examination of claims 1-35 are respectfully requested.

Should any minor informalities need to be addressed, the Examiner is encouraged to contact the undersigned attorney at the telephone number listed below.

Please charge any shortage in fees due in connection with the filing of this paper, including Extension of Time fees, to Deposit Account No. 50-1465 and please credit any excess fees to such deposit account.

In re Patent Application of:

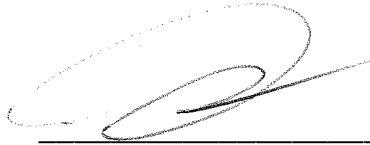
**FONDEUR ET AL.**

Serial No. **10/736,295**

Filed: **12/15/2003**

---

Respectfully submitted,



---

CHARLES E. WANDS

Reg. No. 25,649

Telephone: (321) 725-4760

**Customer No. 27975**